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9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE DIVISION

12 UNITED STATES OF AMERICA, )  
13 Plaintiff, )  
14 vs. )  
15 ROBERT S. GORDON, )  
16 Defendant. )

Case No. CR 01-20077-JF(PVT)

**Stipulation To Order Vacating  
Conditions Set By "Order  
Concerning Financial  
Conditions of Release" Filed  
June 27, 2002, And Authorizing  
Disbursement of Funds From  
Smith Barney Account  
[Proposed] Order**

17  
18 Defendant Robert S. Gordon, by counsel, and Plaintiff United States of  
19 America, by counsel, stipulate to the Court's issuance of an order vacating the  
20 conditions set forth in the "Order Concerning Financial Conditions of Release"  
21 issued by Magistrate Judge Trumbull and filed June 27, 2002, and authorizing  
22 disbursement of the funds from the Smith Barney account that were restrained by  
23 the June 27, 2002 order. In support of this stipulation the parties state the  
24 following:

25 1. On June 27, 2002, this Court (the Honorable Patricia V. Trumbull,  
26 United States Magistrate Judge), issued an "Order Concerning Financial  
27 Conditions of Release" ("Order") which was filed the same day that, *inter alia*,  
28 placed restrictions on the assets of Robert Gordon identified in the order.

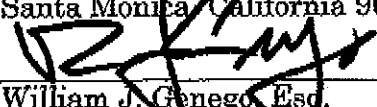
1 Paragraph 5 of the Order identified Mr. Gordon's account 14-7221 with Morgan  
2 Stanley and directed that "Morgan Stanley . . . shall not disburse any funds to, or  
3 on behalf of the defendant Robert Gordon without a further written order of the  
4 Court." Order, par. 5.

5 2. Judgment in this matter is final and Mr. Gordon has satisfied all his  
6 financial obligations as ordered by the Court, and there is no further need or  
7 justification for the financial restrains imposed by the Court's June 27, 2002 Order.

8  
9 Wherefore, Robert Gordon and the government stipulate to the Court's entry  
10 of an order vacating the conditions set forth in the "Order Concerning Financial  
11 Conditions of Release" issued by Magistrate Judge Trumbull and filed June 27,  
12 2002 and authorizing disbursement of the funds from the Smith Barney account  
13 that were restrained by the June 27, 2002 Order.


14  
15  
16 Dated: 3/26/2008

Nasatir, Hirsch, Podberesky & Genego  
2115 Main Street  
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17  
18 By:   
19 William J. Genego, Esq.  
Attorneys for Defendant  
20 Robert S. Gordon

21 Dated: 3/31/08

United States Attorney's Office  
280 South First Street, Suite 371  
San Jose, California 95113

22  
23 By:   
24 David R. Callaway,  
Assistant U.S. Attorney

25 PURSUANT TO STIPULATION, IT IS SO ORDERED.

26  
27 Dated: 4/7/08

  
United States Magistrate Judge

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